IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA

United States of America,	)	
	)	
Plaintiff,	)	**INTERSTATE AGREEMENT ON**
	)	**DETAINERS ORDER**
vs.	)	
	)	
Joshua David Johnson,	)	Case No. 1-16-cr-121
	)	
Defendant.	)	

On September 23, 2016, defendant made his initial appearance and was arraigned in the above-entitled action. AUSA Jeremy Ensurd appeared on the Government's behalf. AFPD Ryan Costello appeared on defendant's behalf.

Prior to his initial appearance, defendant was incarcerated by the State of North Dakota at the James River Correctional Center ("JRCC") in Jamestown, North Dakota. After the Indictment in this case was returned and an arrest warrant issued, a detainer was filed by the United States with the North Dakota prison officials. Pursuant to the Interstate Agreement on Detainers Act ("IADA"), defendant's appearance before this court for his initial appearance and arraignment was secured by a writ of habeas corpus *ad prosequendum*.

During the hearing, defendant was advised of his rights under the IADA to continued federal custody until the charges set forth in the superseding indictment are adjudicated. Defendant knowingly, voluntarily, and upon advice of counsel waived the anti-shuttling provisions of the IADA and in open court and agreed to his continued housing by the State of North Dakota (the "sending state" under the IADA) at the NDSP pending further proceedings in this case initiated by the United States (the "receiving state" under the IADA). The United States did not object.

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Accordingly, the court **ORDERS** that defendant be housed in the "sending state" under the IADA pending further proceedings or until further order of the court. Further, pursuant to defendant's waiver, the return of the defendant to his place of incarceration pending trial shall <u>not</u> be grounds under the IADA for dismissal of the charges set forth in the indictment.

Dated this 23rd day of September, 2016.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr., Magistrate Judge
United States District Court